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9 *Attorneys for Fire Victim Trustee*

10 **UNITED STATES BANKRUPTCY COURT**
11 **NORTHERN DISTRICT OF CALIFORNIA**
12 **SAN FRANCISCO DIVISION**
13

14 In re:

15 **PG&E CORPORATION,**

16 **- and -**

17 **PACIFIC GAS AND ELECTRIC COMPANY,**
18 **Debtors.**

- 19 ☐ Affects PG&E Corporation
20 ☐ Affects Pacific Gas and Electric Company
☒ Affects both Debtors

21 ** All papers shall be filed in the Lead Case,*
22 *No. 19-30088 (DM).*

Case No. 19-30088 (DM)
Chapter 11
(Lead Case)
(Jointly Administered)

**FIRE VICTIM TRUSTEE'S
STATEMENT OF NON-
OPPOSITION TO LETTER
REQUEST OF CHRISTINA
MARIE CHARLES**

[Relates to Docket Number 13547]

1 Cathy Yanni, in her capacity as the Trustee (the “**Trustee**”) of the Fire Victim Trust (the
2 “**Trust**”), by and through her undersigned counsel, respectfully states as follows:

3 1. On January 29, 2019, PG&E Corporation (“**PG&E Corp.**”) and Pacific Gas and
4 Electric Company (“**Utility**”), as debtors and debtors in possession (collectively, “**PG&E**” or the
5 “**Debtors**”), commenced with the Court voluntary cases under chapter 11 of the Bankruptcy Code
6 (the “**Chapter 11 Cases**”). The Reorganized Debtors filed the Chapter 11 Cases to address the
7 billions of dollars of damage and loss relating to the devastating 2015, 2017 and 2018 California
8 fires and to provide compensation to wildfire victims.

9 2. By Order dated July 1, 2019, the Court established October 21, 2019 (the “**Bar**
10 **Date**”) as the last date to file proofs of claim in the Chapter 11 Cases [Docket No. 2806]. By Order
11 dated November 11, 2019, the Court extended the Bar Date to December 31, 2019 (the “**Extended**
12 **Bar Date**”) for unfiled, non-governmental Fire Claimants [Docket No. 4672].

13 3. By Order dated June 20, 2020 [Docket No. 8053] the Bankruptcy Court confirmed
14 the *Debtors’ and Shareholder Proponents’ Joint Chapter 11 Plan of Reorganization Dated June*
15 *19, 2020* (as may be further modified, amended or supplemented from time to time, and together
16 with any exhibits or scheduled thereto, the “**Plan**”). The Effective Date of the Plan occurred on
17 July 1, 2020. *See* Dkt. No. 8252.

18 4. Pursuant to the Plan, the Trustee was appointed as the representative of each of the
19 Debtors’ estates pursuant to sections 1123(a)(5), (a)(7), and (b)(3)(B) of the Bankruptcy Code was
20 vested with the authority and power (subject to the Fire Victim Trust Agreement¹ and the Plan) to,
21 among other things: (i) administer, object to or settle Fire Victim Claims; (ii) make distributions to
22 holders of Fire Victim Claims in accordance with the terms of the Plan and the Fire Victim Trust
23 Agreement, and (iii) carry out the provisions of the Plan related to the Trust and the Fire Victim
24 Claims. *See* Plan § 6.8(b).

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27 ¹ Capitalized terms used but not otherwise herein defined have the meanings ascribed to such terms
28 in the Plan.

1 5. Also pursuant to the Plan, all Fire Victim Claims were channeled to the Trust on the
2 Effective Date and are subject to the Channeling Injunction, and any liabilities of the Debtors or the
3 Reorganized Debtors, as applicable, for any Fire Victim Claims have been fully assumed by, and
4 are the sole responsibility of, the Trust, and shall be satisfied solely from the assets of the Trust.
5 *See* Plan §§ 4.7(a), 4.26(c), 6.7(a).

6 6. To be eligible for compensation from the Trust a holder of a Fire Victim Claim must
7 have timely filed a proof of claim. *See* Dkt. No. 8057-1.

8 7. On July 2, 2020, Ms. Charles filed proof of claim number 106153 (the “**Proof of**
9 **Claim**”).

10 8. On February 17, 2021, Ms. Charles timely submitted a Claims Questionnaire to the
11 Trust.

12 9. On July 14, 2022, the Trust issued a Determination Notice denying Ms. Charles’s
13 claims on substantive grounds.

14 10. On August 1, 2022 the Trust sent an email (the “**Late Claim Email**”) to all
15 claimants, including Ms. Charles, who had submitted Claims Questionnaires to the Trust based on
16 proofs of claims filed after the Extended Bar Date. The Late Claim Email informed these claimants
17 that their proofs of claim would need to be deemed timely filed by the Bankruptcy Court in order
18 for their Fire Victim Claims to be eligible for compensation by the Trust.

19 11. On August 29, 2022 Ms. Charles submitted a Reconsideration Request regarding the
20 Determination Notice.

21 12. On February 9, 2023 Ms. Charles called the Trust to inquire about the timeliness of
22 the Proof of Claim. The Trust’s agent referenced the Late Claim Email and informed Ms. Charles
23 that the Trust’s records showed that the Proof of Claim had not been deemed timely.

24 13. On February 23, 2023, Ms. Charles filed a letter with the Court seeking to have the
25 Proof of Claim deemed timely [Docket No. 13547] (the “**Late Claim Letter**”).

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1 14. Given Ms. Charles's engagement with the Trust and the status of her claims within
2 the Trust's claims administration process, the Trustee does not object to this Court deeming the
3 Proof of Claim timely, provided that granting the relief requested in the Late Claim Letter shall not
4 alter or void the Determination Notice that valued Movant's claims at \$0.00.

5 15. Nothing herein is intended to, nor shall it be construed to be, a waiver by the Fire
6 Victim Trust, or any other party in interest of any right to object to the Proof of Claim on any
7 grounds other than the untimely filing thereof.

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9 DATED: March 9, 2023

BROWN RUDNICK LLP

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